

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

M.J. individually and as parent and natural  
guardian of G.S. and C.J., minors,

Plaintiffs,

v.

LUZERNE COUNTY, *et al.*,

Defendants.

NO. 3:17-CV-1443

(JUDGE CAPUTO)

**ORDER**

**NOW**, this 25<sup>th</sup> day of April, 2018, **IT IS HEREBY ORDERED** that:

- (1) The Motion to Dismiss (Doc. 35) filed by Defendants Luzerne County, Luzerne County Children and Youth Services, Jesse Goshert, and Maryann Rambus is **GRANTED in part and DENIED in part**.
  - (A) Plaintiffs' vicarious liability claim against the County and LCCYS in Count Four of the Amended Complaint is **DISMISSED with prejudice**.
  - (B) County Defendants' motion is **DENIED** in all other respects.
- (2) The Motion for Partial Dismissal (Doc. 37) filed by Concern-Professional Services for Children, Youth, and Families, Lisa Ross, and Kathy Sheridan is **GRANTED in part and DENIED in part**.
  - (A) Plaintiffs' vicarious liability claim against Concern for Kathy Ryan's actions in Count Four of the Amended Complaint is **DISMISSED with prejudice**.
  - (B) Concern Defendants' motion is **DENIED** in all other respects.
- (3) Defendant Kathy Ryan's Motion to Dismiss (Doc. 38) is **DENIED**.
- (4) Defendants shall file Answers to the Amended Complaint within **twenty-one (21) days** from the date of entry of this Order.

/s/ A. Richard Caputo  
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A. Richard Caputo  
United States District Judge